

REMARKS

The instant Amendment C is responsive to the Office Action dated October 3, 2003. Applicants respectfully submits that claims 1, 5, 6, 18, 19, 21-23, and 26-29 as set forth herein patentably distinguish over the cited references, and respectfully request allowance of all claims.

The current status of the claims

Claims 1, 5, and 6 are allowed.

Claims 18-21 and 24-28 stand rejected under 35 U.S.C. §102(e) as being anticipated by Kelly (EP 1072884A2, hereinafter "Kelly").

Claims 25-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by Luk (U.S. 2002/0181231 A1).

Claims 22 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kelly in view of Lys et al. (U.S. 6,340,868, hereinafter "Lys").

Claims 26-29 have been made dependent from allowed claim 1

Independent claim 24 has been canceled, and dependent claims 26-29 have been made dependent from allowed claim 1 with suitable amended language to reconcile antecedent bases. Applicants therefore respectfully ~~ask~~ *request* ~~for~~ allowance of dependent claims 26-29.

Claim 19 has been placed into independent form, and patentably distinguishes over the cited references

Claims 18-21 and 24-28 stand rejected as anticipated by Kelly.

Claim 19, which is included in this span of rejected claims, calls for first and second sets of light emitting diodes to be distributed substantially uniformly across the substrate, and for the light emitting diodes of the second set to be interspersed amongst the light emitting diodes of the first set.

The Office Action does not point to any portion of Kelly that discloses two sets of light emitting diodes distributed substantially uniformly across a substrate. The Office Action also does not point to any portion of Kelly that discloses light emitting diodes of a second set interspersed amongst the light emitting diodes of a first set. Indeed, the Office Action does not even mention these features of dependent claim 19 in rejecting claims 18-21 and 24-28.

Kelly discloses a ring light including one or more rings of light emitting diodes illuminating an annular lens 7 or annular lens 20. The sets of light emitting diodes in Kelly are not distributed substantially uniformly; rather, they are concentrated into concentric rings. See Kelly fig. 5(a) and ¶[0052]. The light emitting diodes of each set are also not interspersed amongst one another; rather each set is segregated into its own separate concentric ring.

As discussed at Kelly ¶[0052], the separate rings 41, 42, 43 of light emitting diodes are at different concentric radii so that each ring of light emitting diodes is at a different effective angle with respect to the center of curvature of the annular lens. By selecting which ring 41, 42, 43 is operative, the angle of ring light illumination is changed. No arrangement of light emitting diodes other than Kelly's disclosed concentric rings would give this effect. In particular, a distributed or interspersed arrangement of light emitting diodes would not give this effect. Thus, modifying Kelly by spatially distributing or interspersing the light emitting diodes would render the illuminator inoperative for its intended purpose as a ring illuminator.

Applicants therefore submit that claim 19 patentably distinguishes over the cited references, and ask for allowance of claim 19.

Claims 18 and 21-23 patentably distinguish over the cited references

Claim 18 has been amended to specify that the light emitting diodes of the second set be interspersed amongst the light emitting diodes of the first set. As discussed above with reference to claim 19, Applicants do not find any disclosure or fair suggestion of light emitting diodes of a second set interspersed amongst the light emitting diodes of a first set in Kelly. Moreover, such interspersing would destroy the intended effect in Kelly of illuminating the annular lens at a different effective angle using each set of light emitting diodes.

Regarding dependent claims 22 and 23, the Office Action relies upon Lys to disclose the rheostat or variable voltage divider power input control called for in these claims, but points to no specific portion of Lys that discloses these features. Applicants find no reference to a rheostat in Lys. A voltage divider is mentioned in Lys at col. 20 lines 52-53 (referencing fig. 14 of Lys). However, this voltage divider is stated to be part of a feedback circuit, not a control circuit. There is no suggestion in Lys that this voltage divider provide voltage control.

Moreover, the voltage divider referenced in Lys is not a variable voltage divider, but rather consists of two fixed resistors.

For at least the above reasons, Applicants ask for allowance of claim 18 and of claims 21-23 that depend therefrom.

CONCLUSION

For the reasons set forth above, it is submitted that all claims 1, 5, 6, 18, 19, 21-23, and 26-29 patentably distinguish over the references of record. Accordingly, an early indication of allowance is earnestly solicited.

Respectfully submitted,
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